

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**NICKY BOUNDS and MELINDA  
BOUNDS**

**PLAINTIFFS**

**v.**

**CAUSE NO. 1:22-cv-43-LG-RHWR**

**DANISHA DILLION, HERMAN  
BOYD, and NATIONWIDE  
AFFINITY INSURANCE COMPANY  
OF AMERICA, and JOHN DOES A-  
Z, et al.**

**DEFENDANTS**

**ORDER REMANDING CASE**

**BEFORE THE COURT** is the [1] Notice of Removal in this action.

Plaintiffs in this matter, Nicky and Melinda Bounds, originally filed this lawsuit in the Circuit Court of Jackson County, Mississippi. They allege that they were injured in a collision with a motor vehicle driven by Defendant Dillion and owned by Defendant Boyd. Plaintiffs seek uninsured motorist proceeds from Defendant Nationwide Affinity Insurance Company of America (“Nationwide”).

On March 2, 2022, Nationwide removed this case to this Court, asserting that it is completely diverse from the Plaintiffs and that the individual Defendants were misjoined under Mississippi procedural law. On April 5, 2022, the Magistrate Judge issued an [7] Order to Show Cause why this case should not be remanded to state court, citing Fifth Circuit precedent which places state procedural issues outside the scope of misjoinder. In its [8] Response, Nationwide agrees with the Magistrate’s assessment. The Court is therefore satisfied that remand is proper.

**IT IS THEREFORE ORDERED AND ADJUDGED** that this case is hereby **REMANDED TO THE CIRCUIT COURT OF JACKSON COUNTY, MISSISSIPPI.**

**IT IS, FURTHER, ORDERED AND ADJUDGED** that a certified copy of this order of remand shall be immediately mailed by the Clerk of this Court to the Clerk of the state court pursuant to 28 U.S.C. § 1447(c).

**SO ORDERED AND ADJUDGED** this the 14<sup>th</sup> day of April, 2022.

s/ *Louis Guirola, Jr.*

LOUIS GUIROLA, JR.  
UNITED STATES DISTRICT JUDGE